

HOUSE BILL 3629

By Weaver

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 3, relative to logos for state products.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 7, is amended by
adding the following as a new section:

§ 4-3-737.

(a) As used in this section, unless the context requires otherwise:

(1) "Agricultural products" means horticultural, poultry, dairy, and
farm products, livestock and livestock products, and harvested trees,
nursery stock, and nursery products;

(2) "Commissioner" means the commissioner of economic and
community development;

(3) "Department" means the department of economic and
community development; and

(4) "Producer" means any person, firm, partnership, limited
liability company, corporation, or other business association engaged in
the processing, fabrication, or manufacture of goods or products, other
than food and agricultural products, under a trademark, trade name,
service mark, or other identifying symbol or name whether or not such
organization sells such products at wholesale or retail.

(b) The department shall develop and adopt an official logo or seal for
products or goods, except for food and agricultural products, that are processed,
fabricated, manufactured, or produced in this state.

(c) The commissioner may register the logo as a trademark and take appropriate steps where necessary to protect the logo from misuse or infringement.

(d) Permission may be granted to a business or producer for the use of the logo if the business or producer's final product has been processed, fabricated, manufactured, or produced in Tennessee. The commissioner shall determine the terms, conditions, and requirements for such permission. Any application for such permission shall be submitted in the manner prescribed by the commissioner and shall demonstrate that the requirements of the law will be met.

(e) Such logo or seal shall be placed on goods, packages, products, documents, promotional materials, and business correspondence to certify that the goods or products are Tennessee products.

(f) The commissioner may promulgate rules and regulations in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to establish fees to be charged related to any application for permission and to effectuate the provisions of this section.

SECTION 2. This act shall take effect January 1, 2011, the public welfare requiring it.